

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

v.
SAMANTHA LORETTA,
Defendant.

Criminal No. 1:07cr6

ORDER/OPINION

On the 12th day of December 2012, came the defendant, Samantha Loretta, in person for an Initial Appearance pursuant to a Petition for Warrant or Summons for Offender Under Supervision filed in this case on November 27, 2012, alleging Defendant violated conditions of her supervised release as follows:

1. Violation of Mandatory Condition: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
2. Violation of Standard Condition: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
3. Violation of Mandatory Condition: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
4. Violation of Standard Condition: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
5. Violation of Mandatory Condition: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
6. Violation of Standard Condition: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.
7. Violation of Mandatory Condition: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The

defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

8. Violation of Standard Condition: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Defendant was advised of her rights, including her right to a Preliminary Hearing. A Preliminary Hearing was scheduled for December 18th, 2012. On December 17, 2012, Defendant filed a Waiver of Preliminary Hearing, signed by Defendant and her counsel.

Upon consideration of all which, the Court finds there is probable cause to believe that the defendant violated the conditions of her supervised release as alleged in the Petition for Warrant or Summons for Offender Under Supervision filed November 27, 2012. It is therefore **ORDERED** that the defendant be bound over for a full hearing before the Honorable Irene M. Keeley, United States District Judge for the Northern District of West Virginia on the violations alleged in the Petition for Warrant or Summons for Offender Under Supervision filed November 27, 2012.

Defendant is continued on release pursuant to Conditions of Supervised Release previously entered in this matter.

The Preliminary Hearing previously scheduled for December 18, 2012, at 1:00 p.m. is hereby **CANCELED**.

It is so **ORDERED**.

The clerk of the court is directed to send a copy of this order to counsel of record.

DATED: December 17, 2012.

John S. Kaull

JOHN S. KAULL

UNITED STATES MAGISTRATE JUDGE